

Message Text

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TO SECSTATE WASHDC 1020
INFO AMEMBASSY TEL AVIV

C O N F I D E N T I A L SECTION 1 OF 4 JERUSALEM 1500

E.O. 11652: GDS
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SUBJ: TORTURE OF ARAB PRISONERS IN JERUSALEM AND THE WEST BANK

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(L) JERUSALEM 1081

SUMMARY: DURING THE PERIOD BETWEEN MARCH 1977 AND APRIL 1978,
THE POST HAS ASSEMBLED A BODY OF FIRST-HAND TESTIMONY INDICATING
THAT ISRAELI TORTURE OF ARAB PRISONERS IN THE OCCUPIED
TERRITORIES MAY BE A WIDESPREAD AND EVEN COMMON PRACTICE.
THIS INFORMATION ALSO CASTS CONSIDERABLE DOUBT UPON THE FAIRNESS
OF THE SYSTEM OF MILITARY COURTS IN OPERATION IN THE OCCUPIED
TERRITORIES, AND THE SIGNIFICANCE OF THESE COURTS OBSERVING
SOME OF THE OUTWARD FORMS OF DUE PROCESS. THIS MATERIAL SUB-
STANTIALLY GOES BEYOND THE FINDINGS OF LAST YEAR'S HUMAN RIGHTS
REPORT ON ISRAELI PRACTICES IN THE OCCUPIED TERRITORIES AND IS
SUBMITTED AS PART OF THE POST'S EFFORT TO KEEP THE DEPARTMENT
AND EMBASSY TEL AVIV INFORMED OF HUMAN RIGHTS PRACTICES IN
THE WEST BANK. END SUMMARY.

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1. THE DRAFTER OF THIS REPORT IS ALEXANDRA U. JOHNSON, VICE
CONSUL, POST VISA OFFICER, AND IS BASED ON HER INTERVIEWS WITH
VISA APPLICANTS DURING THE PERIOD FROM MARCH 1977 TO
APRIL 1978.
2. SOURCE OF THE INFORMATION. WHEN ROUTINE POLICE CHECKS,
WHICH ARE REQUIRED LOCALLY FOR THE PROCESSING OF STUDENT AND

IMMIGRANT VISAS, REVEAL THAT A VISA APPLICANT HAS BEEN ARRESTED FOR A "SECURITY OFFENSE," (I.E. AN ACT WHICH THE AUTHORITIES DEEM AS RESISTANCE TO THE ISRAELI OCCUPATION), AN INVESTIGATION IS MADE BY THE POST IN ORDER TO DETERMINE WHETHER THAT INDIVIDUAL IS INELIGIBLE TO RECEIVE A VISA UNDER SECTION 212(A)(28) OF THE IMMIGRATION AND NATIONALITY ACT, WHICH BARS COMMITTED MEMBERS OF TERRORIST ORGANIZATIONS FROM ENTERING THE UNITED STATES. THE INDIVIDUAL IS REQUIRED TO PRODUCE A CERTIFIED COPY OF THE OFFICIAL COURT RECORD OF HIS TRIAL. THEN HE IS INTERVIEWED BY A CONSULAR OFFICER (SINCE MARCH 1977 AN ARABIC-SPEAKING OFFICER) CONCERNING THE SECURITY OFFENSE, AND AT THE TERMINATION OF THE INTERVIEW, REQUESTED TO WRITE A STATEMENT CONCERNING THE MATTER. BETWEEN MARCH 1977 AND APRIL 1978, JERUSALEM HAS PROCESSED FIFTEEN SUCH CASES. THE INTERVIEWS CONDUCTED IN CONNECTION WITH THESE CASES PRODUCED CONSIDERABLE INFORMATION BEARING ON THE ISSUE OF TORTURE OF ARAB PRISONERS. (POST SENDING BY AIRGRAM DETAILED REPORT OF CONSULAR OFFICER INTERVIEWS WITH 15 APPLICANTS.)

3. THE CRIME. ALTHOUGH ALL FIFTEEN APPLICANTS WERE ARRESTED FOR SECURITY OFFENSES, THE NATURE OF THE ACTIONS WHICH LED TO THEIR ARREST VARIED GREATLY. ONE INDIVIDUAL SMUGGLED A TIMING DEVICE FOR EXPLOSIVES FROM JORDAN TO THE WEST BANK. ANOTHER EMBARKED UPON A COURSE OF IDEOLOGICAL TRAINING UNDER PFLP AUSPICES. TWO WERE ARRESTED BECAUSE THEY EACH HAD A FRIEND WHO OWNED AN UNLICENSED PISTOL. SIX SEEM TO HAVE BEEN CONFIDENTIAL

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ARRESTED ON THE BASIS OF INDISCREET CONVERSATIONS IN WHICH THEY EXPRESSED VERBAL SUPPORT FOR THE PLO. ONE HAD DISTRIBUTED LEAFLETS CALLING FOR PROTEST DEMONSTRATIONS. TWO WERE CHILDREN WHO HAD SCRAWLED ANTI-ISRAELI SLOGANS ON SCHOOL WALLS. (THEY WERE ARRESTED FOR THIS ALMOST TWO YEARS AFTER WRITING THE GRAFITTI.) ANOTHER HAD LIED TO OBTAIN A PERMIT TO CROSS THE ALLENBY BRIDGE INTO JORDAN -- TO ATTEND HIS OWN WEDDING. YET ANOTHER STILL CLAIMS TO HAVE NO IDEA WHY HE WAS HELD FOR ONE MONTH OF INTERROGATION AND FIVE WEEKS ADMINISTRATIVE DETENTION, AND POLICE RECORDS ALSO THROW NO LIGHT UPON THE MATTER. IN ALL CASES, HOWEVER, THE QUESTION OF ORGANIZATION MEMBERSHIP -- EITHER IN THE PLO OR IN SOME UNNAMED BUT SIMILAR ORGANIZATION -- WAS INTRODUCED IN INTERROGATION AND FIGURED IN THE CHARGES AT ANY SUBSEQUENT TRIAL. MEMBERSHIP, PARTICULARLY WHEN IT IS UNACCOMPANIED BY OVERT ACTS POSING A THREAT TO SECURITY, IS AN INTANGIBLE. IT IS UNLIKELY THAT SUCH MEMBERSHIP COULD BE "PROVEN" EXCEPT BY CONFESSIONS AND/OR DENUNCIATIONS. IN THIS CONTEXT, THE METHODS OF INTERROGATION ASSUME A CRITICAL IMPORTANCE.

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4. INTERROGATION. ALL FIFTEEN APPLICANTS CLAIMED THAT THEY HAD BEEN BEATEN OR OTHERWISE TORTURED DURING THE INTERROGATION SESSIONS WHICH FOLLOWED THEIR ARREST. FOUR MADE THIS CLAIM ORALLY; ELEVEN MADE WRITTEN STATEMENTS (APPENDED TO THIS REPORT) ABOUT THEIR EXPERIENCES. NONE OF THE APPLICANTS APPEARED TO REGARD THESE EXPERIENCES AS UNUSUAL. THEY GENERALLY INTRODUCED THE SUBJECT OF TORTURE WITH SUCH EXPRESSIONS AS, "OF COURSE, I WAS BEATEN," "I CONFESSED FOR THE USUAL REASON," AND THE LIKE. FOUR APPLICANTS SPECIFICALLY STATED THAT PERSONS ARRESTED AT THE SAME TIME AS THEY WERE, OR IN CONNECTION WITH THE SAME MATTER, HAD ALSO BEEN TORTURED.

5. THE CLAIMED PHYSICAL ABUSE RAN THE GAMUT FROM "SOME MINOR BLOWS", WHICH THE INDIVIDUAL WAS QUITE READY TO DISMISS AS UNIMPORTANT, TO EPISODES WHICH ALLEGEDLY CONCLUDED WITH THE VICTIM LOSING CONSCIOUSNESS FROM PAIN, AND WHICH POSSIBLY COULD HAVE CAUSED DEATH. TWO APPLICANTS SAID THAT THEY HAD BEEN SLAPPED AND PUNCHED DURING INTERROGATION BUT CONSIDERED THIS UNIMPORTANT BECAUSE THEY BELIEVED THAT NORMALLY A PERSON ARRESTED IN A SECURITY CASE WAS TREATED MUCH WORSE. FOR THE REMAINING THIRTEEN APPLICANTS, INTERROGATION SEEMS TO HAVE BEEN A MORE SERIOUS MATTER. ONE, WHO DID NOT CONFESS, BUT WHO WAS ULTIMATELY CONVICTED ON THE BASIS OF AN ASSOCIATE'S DENUNCIATION, CHARACTERIZED HIS EXPERIENCE AS A SEVERE PHYSICAL
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AND PSYCHOLOGICAL TRAUMA. TWO OTHERS STATED THAT THEY WERE BEATEN TO THE EXTENT THAT THEY CONSIDERED SIGNING FALSE

CONFESSIONS, ALTHOUGH THEY DID NOT DO SO. ONE SEEMS TO HAVE CUT SHORT HIS INTERROGATION BY DENOUNCING OTHER INDIVIDUALS. EIGHT SAID THAT THEY CONFESSED TO PUT AN END TO WHAT THEY REGARDED AS INTOLERABLE PAIN AND DEGRADATION. ONE CLAIMED THAT HE CONFESSED TO AVOID PERMANENT PHYSICAL DAMAGE.

6. OF THE FIFTEEN APPLICANTS, THREE HAD BEEN ARRESTED IN 1977, FIVE IN 1976, THREE IN 1975, AND FOUR PRIOR TO 1975. EIGHT HAD BEEN INTERROGATED AT RAMALLAH, FOUR AT THE RUSSIAN COMPOUND OF JERUSALEM, TWO AT HEBRON, AND ONE AT NABLUS. DESPITE THIS DIVERSITY OF TIME AND PLACE OF INTERROGATION, THE ORAL AND WRITTEN STATEMENTS OF MOST APPLICANTS HAVE A CERTAIN BASIC SIMILARITY IN THEIR DESCRIPTION OF INTERROGATION PROCEDURES, INCLUDING THEIR PHYSICAL AND PSYCHOLOGICAL PRESSURES INVOLVED. THE MOST COMMON METHOD DESCRIBED WAS BEATING WITH FISTS OR BLUNT INSTRUMENTS. ONE APPLICANT CLAIMED THAT HIS INTERROGATORS HAD USED SPECIAL TECHNIQUES OF BEATING WHICH MINIMIZED BRUISING -- SHARP BLOWS WITH THE HEEL OF THE HAND TO THE STOMACH, THROAT, EARS, OR TEMPLES. APPLICANTS ALSO CLAIMED TO HAVE BEEN KICKED IN THE GENITALS, GOADED TO RUN UNTIL THEY COLLAPSED FROM EXHAUSTION, FORCED TO HOLD HEAVY OBJECTS FOR LONG PERIODS OF TIME, AND JABBED WITH STICKS OR LARGE NEEDLES. SOME INDIVIDUALS ARRESTED IN THE WINTER SEASON SPOKE OF EXPOSURE TO EXTREME COLD: ONE, FOR INSTANCE, SAID HE HAD BEEN TAKEN OUTDOORS DURING A FREEZING JANUARY NIGHT, STRIPPED, AND DOUSED WITH COLD WATER. SOME SAID THAT THEY HAD BEEN HUNG UP BY THEIR HANDS OR SHACKLED IN AWKWARD POSITIONS. APPLICANTS MENTIONED THEY THEY UNDERWENT PORTIONS OF THEIR INTERROGATIONS (AND BEATINGS) NUDE OR BLINDFOLDED. THREE SPECIFICALLY CLAIMED TO HAVE BEEN SUBJECTED TO VARIOUS FORMS OF SEXUAL SADISM. MOST APPLICANTS CHARACTERIZED THE ADMINISTRATION OF PHYSICAL PAIN AS ALMOST A CASUAL PART

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OF THE INTERROGATION, BEGINNING BEFORE A SINGLE QUESTION WAS ASKED, OR PUNCTUATING QUESTIONS AND ANSWERS. ALL FIFTEEN APPLICANTS STATED THAT THEY HAD BEEN SUBJECTED TO SEVERAL INTERROGATION SESSIONS, EXTENDED OVER PERIODS VARYING FROM SEVERAL DAYS TO MORE THAN A MONTH. ONE INDIVIDUAL SAID THAT BETWEEN INTERROGATION SESSIONS HE WAS KEPT IN A CAGE ONE METER LONG AND ONE METER WIDE. THREE OTHERS ALSO MENTIONED BEING KEPT IN TINY CAGES INSTEAD OF NORMAL CELLS.

7. CONFESSION. NINE APPLICANTS INDICATED THAT THEY BELIEVED THAT THE AIM OF THE INTERROGATIONS WAS EXTRACTING CONFESSIONS RATHER THAN EXTRACTING TRUTH. SOME DETAILS IN THEIR STATEMENTS GIVE COLOR TO THIS. TWO APPLICANTS (WHO DID NOT CONFESS) SAID THEIR INTERROGATORS EXPLICITLY DEMANDED THAT THEY MANUFACTURE FALSE CONFESSIONS, WHICH WOULD INCLUDE DENUNCIATIONS OF THEIR SUPPOSED ASSOCIATES. (ANOTHER FIVE APPLICANTS SAID THEY HAD BEEN ARRESTED AS A RESULT OF SUCH DENUNCIATIONS,

AND EXAMINATION OF COURT RECORDS SUGGESTS THAT AT LEAST FOUR OTHERS MAY HAVE BEEN ARRESTED FOR THE SAME REASON.) TWO APPLICANTS SAID THAT THEIR INTERROGATORS GAVE THEM A CHOICE OF THINGS TO WHICH TO CONFESS: ONE CLAIMED HE WAS TOLD THAT HE COULD CONFESS EITHER TO MEMBERSHIP IN PDFLP OR TO MEMBERSHIP IN FATAH, WHILE THE OTHER, HAVING CONVINCED HIS INTERROGATOR THAT HE COULD NOT POSSIBLY HAVE BEEN A COMMUNIST AS THE AUTHORITIES CLAIMED, WAS ALLEGEDLY THEN URGED TO CONFESS TO MEMBERSHIP IN AN UNNAMED "SABOTAGE ORGANIZATION". (INCIDENTALLY, THE LATTER INDIVIDUAL ALSO SAID THAT DURING THE EARLY STAGES OF HIS INTERROGATION, HE HAD BEEN CONFRONTED WITH THREE OTHER PRISONERS WHO DENOUNCED HIM AS A COMMUNIST.) ONE APPLICANT SAID THAT HE SIGNED HIS CONFESSION UNDER TORTURE WITHOUT READING IT, BUT LATER, WHEN HE HAD READ IT, FINDING SERIOUS INACCURACIES AND EXAGGERATIONS, HE WAS NOT PERMITTED TO CORRECT IT. ANOTHER, WHO SAID HE HAD CONTINUED TO MAINTAIN HIS INNOCENCE DURING MORE THAN A MONTH OF INTERROGATION UNDER TORTURE, CLAIMED THAT HE TOLD HIS INTERROGATORS TO WRITE WHATEVER THEY PLEASED AS HIS CONFESSION WHEN THEY THREATENED TO BRING CONFIDENTIAL

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HIS SISTER TO PRISON FOR RAPE; THEY WROTE, AND HE SAID HE SIGNED WITHOUT KNOWING THE CONTENTS OF HIS CONFESSION. YET ANOTHER SAID THAT HE SIGNED TWO CONFESSIONS: THE FIRST, HE STATED, HE HANDWROTE AT THE DICTATION OF A WHIP-WIELDING INTERROGATOR, WHILE THE SECOND WAS MERELY A SIGNED BLANK PAGE. TWO APPLICANTS CLAIMED THAT ONLY IN THE COURTROOM DID THEY LEARN THE NAMES OF THE ORGANIZATIONS IN WHICH THEY HAD CONFESSED TO BEING MEMBERS. OF THE TEN APPLICANTS WHO DID CONFESS, EIGHT REPUDIATED THEIR CONFESSIONS, WITHER WHOLLY OR IN PART, DURING THE INTERVIEW.

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8. TRIAL. OF THE FIFTEEN APPLICANTS, TWELVE WERE ULTIMATELY BROUGHT TO TRIAL UNDER RELEVANT SECURITY REGULATIONS. TWO APPLICANTS STATED THAT, IN ORDER TO OBTAIN LIGHTER SENTENCES, THEY MADE A SECOND CONFESSION AT THEIR TRIALS, PUBLICALLY REAFFIRMING STATEMENTS ORIGINALLY OBTAINED UNDER TORTURE AND FORMALLY REGRETTING THEIR ALLEGED CRIMES. BOTH INDIVIDUALS CLAIMED THAT THEY HAD IN ACTUALITY BEEN INNOCENT OF THE CHARGES, AND THAT THEY HAD MADE PUBLIC FALSE CONFESSIONS AT THE ADVICE OF THEIR ATTORNEYS. COURT RECORDS INDICATE THAT AN ADDITIONAL FIVE APPLICANTS ALSO MADE SIMILAR PUBLIC CONFESSIONS. ANOTHER APPLICANT SAID THAT AT HIS TRIAL, THE JUDGE ASKED HIM IF HE CONFESSED TO THE CHARGES, AND HE REPLIED THAT HE WAS INNOCENT, AND THAT HE REPUDIATED THE CONFESSIONS OBTAINED DURING INTERROGATION. HIS LAWYER THEN INTERRUPTED AND, PRODUCING A SIGNED POWER OF ATTORNEY, CONFESSED TO THE CHARGES IN HIS CLIENT'S NAME, OVER THE LATTER'S OBJECTIONS. THE ACCUSED'S REPUDIATION OF HIS CONFESSIONS WAS STRICKEN FROM THE RECORD, AND AN ADDITIONAL PUBLIC CONFESSION RECORDED. LOCAL ATTORNEYS SPECIALIZING IN PLEADING BEFORE ISRAELI MILITARY COURTS CONFIRM THAT THEY NORMALLY URGE CLIENTS TO CONFESS IN CASES WHERE THE CHARGES ENCOMPASS PETTY ACTIONS -- REGARDLESS WHETHER OR NOT THESE CHARGES ARE TRUE. THE ATTORNEYS STATE THAT PERSONS WHO DO NOT FORMALLY REGRET THEIR ALLEGED ACTIONS IN COURT ARE OFTEN SUBJECTED TO HARSHER SENTENCES FOR OBDURACY. IT IS ALSO NOTEWORTHY

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THAT SEVERAL APPLICANTS, WHO KNEW NO HEBREW, HAD SERIOUS MISCONCEPTIONS REGARDING THE EXACT CHARGES AGAINST THEM OR THE EVIDENCE MARSHALLED TO PROVE THESE CHARGES. FOR EXAMPLE, ONE APPLICANT, WHO HAD BEEN CONVICTED OF MEMBERSHIP IN FATAH AND SENTENCED TO PRISON FOR A PERIOD EQUIVALENT TO THE PERIOD OF PRETRIAL DETENTION, THE SENTENCE TO BEGIN RETROACTIVELY FROM THE DATE OF ARREST, SAID THAT HE DID NOT THINK THAT HE HAD BEEN CHARGED WITH ANYTHING, AND THAT HE HAD BEEN DEEMED INNOCENT BY THE COURT BECAUSE HE HAD BEEN RELEASED IMMEDIATELY AFTER TRIAL. AS EACH OF THE APPLICANTS HAD PRESENTED THE INTERVIEWING CONSULAR OFFICER WITH A COPY OF THE COURT TRANSCRIPT PRIOR TO MAKING THEIR STATEMENTS, IT IS DIFFICULT TO CONCEIVE THAT SUCH INACCURACIES REPRESENT OTHER THAN GENUINE IGNORANCE. MILITARY COURT TRIALS ARE GENERALLY CONDUCTED IN HEBREW, WITH WHAT PURPORTS TO BE SIMULTANEOUS TRANSLATION INTO ARABIC. THE INTERVIEWING CONSULAR OFFICER HAS ATTENDED A MILITARY COURT SESSION AT WHICH SEVERAL OF THE CHARGES AGAINST THE ACCUSED WERE NOT TRANSLATED INTO ARABIC, AND TRANSLATION OF LONG EXCHANGES BETWEEN THE ATTORNEYS AND THE JUDGES WAS

SO SKIMPY THAT THE PROCEEDINGS COULD BE FOLLOWED WITH DIFFICULTY, IF AT ALL. ONE APPLICANT CLAIMED THAT NO ARABIC TRANSLATION WHATSOEVER WAS PROVIDED AT HIS TRIAL, DESPITE THE FACT THAT HE UNDERSTOOD NO OTHER LANGUAGE BUT ARABIC. NONE OF THE TWELVE APPLICANTS WHO WERE TRIED, HOWEVER, EXPRESSED MUCH CONCERN WITH SUCH PROCEDURAL POINTS. RATHER, THEY APPEARED TO VIEW THEIR TRIALS AS LITTLE MORE THAN A NECESSARY FORMALITY PRELIMINARY TO CONVICTION AND PRISON.

9. THE OUTCOME. MOST APPLICANTS CONVEYED THE IMPRESSION THAT, ONCE ARRESTED, THEY FOUND THEMSELVES IN THE TOILS OF A SYSTEM WHICH THEY HAD NO HOPE OF INFLUENCING OR UNDERSTANDING. ONE GROUP OF INDIVIDUALS, WHO HAD BEEN CONVICTED AND DONE TIME, SEEMED TO FEEL THAT ARREST MORE OR LESS AUTOMATICALLY LED
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TO TORTURE, CONFESSION, TRIAL, AND PRISON, REGARDLESS OF WHAT THE PERSON'S ACTIONS HAD BEEN. THE SECOND GROUP, WHO HAD BEEN INTERROGATED AND THEN RELEASED WITHOUT TRIAL, GENERALLY SHARED THIS VIEW AND HENCE HAD NO REAL COMPREHENSION OF THE REASONS FOR THEIR RELEASE, VIEWING IT LARGELY AS A MATTER OF LUCK. ONLY ONE INDIVIDUAL NOTED THE INTERVENTION OF AN OUTSIDE ORGANIZATION IN THE PROCESS: A TEACHER (NOW UNIVERSITY LECTURER), WHO HAD FRIENDS IN SEVERAL US-BASED OIL COMPANIES, BELIEVED THAT THE INTEREST SHOWN IN HIS CASE BY SEVERAL US SENATORS MAY HAVE FACILITATED HIS RELEASE FROM ADMINISTRATIVE DETENTION. HE AND ANOTHER APPLICANT, A UNIVERSITY STUDENT, APPEAR TO HAVE TAKEN AN ACTIVE INTEREST IN PREPARING THEIR DEFENSE. A THIRD APPLICANT, PARDONED AFTER MORE THAN TWO YEARS OF INCARCERATION, ATTRIBUTED HIS RELEASE TO THE UNREMITTING EFFORTS OF HIS AMERICAN PERMANENT RESIDENT MOTHER TO OBTAIN REVIEW OF THE CASE BY TWO SUCCESSIVE MILITARY GOVERNORS. THE REMAINING TWELVE APPLICANTS, FOR THE MOST PART EITHER HIGH SCHOOL STUDENTS OR LABORERS, AND THEIR PEASANT OR WORKING-CLASS FAMILIES, PLAYED A MORE PASSIVE ROLE.

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10. THE RED CROSS. ONE APPLICANT, WHO HAD BEEN INTERROGATED IN HEBRON IN 1974, MENTIONED THAT THE RED CROSS HAD BEEN HELPFUL TO HIM AND OTHER PRISONERS IN ARRANGING FAMILY VISITS AND THE DELIVERY OF PARCELS. HOWEVER, HE ALSO NOTED THAT WHEN RED CROSS REPRESENTATIVES CAME TO CHECK ON THE CONDITION OF THE PRISONERS, PRISON OFFICIALS HID PERSONS WHO HAD RECENTLY UNDERGONE INTERROGATION AND TORTURE IN SPECIAL CAGES TO WHICH THE RED CROSS DID NOT HAVE ACCESS. IN HIS OWN CASE, THE RED CROSS SUCCEEDED IN ARRANGING A FAMILY VISIT ONLY ONE MONTH AFTER HIS FORTY-DAY INTERROGATION AND ALLEGED TORTURE WERE TERMINATED BY CONFESSION. ALTHOUGH THE RECENT MOVE TO PERMIT RED CROSS VISITS TO PRISONERS ON THE FOURTEENTH DAY AFTER ARREST CERTAINLY REPRESENTS AN IMPROVEMENT OVER THIS SITUATION, APPLICANTS' STATEMENTS RAISE SOME QUESTION AS TO WHETHER EVEN INTERVENTION ON THE FOURTEENTH DAY WOULD PROVE TIMELY IN MOST CASES. ONE APPLICANT, WHO DID NOT CONFESS, SAID THAT HE HAD BEEN BEATEN DURING THE FIRST FIFTEEN DAYS OF DETENTION, ON SIX OR SEVEN OCCASIONS, ANOTHER, WHO ALSO DID NOT CONFESS, WAS INTERROGATED FOR THREE DAYS AND BEATEN DURING THE FIRST TWO DAYS. A THIRD INDIVIDUAL, WHO WAS ARRESTED FOR INTERROGATION TWICE, SAID HE HAD BEEN BEATEN FOR THE FIRST WEEK OF HIS FIRST ARREST AND FOR THE INITIAL FOUR DAYS OF HIS SECOND ARREST. ANOTHER APPLICANT SAID THAT HE HAD CONFESSED AFTER FIVE OR SIX SESSIONS OF INTERROGATION AND BEATING, CONFIDENTIAL

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WHICH OCCURRED DURING THE FIRST WEEK OF HIS ARREST. THREE OTHER APPLICANTS STATED THAT THEY HAD CONFESSED UNDER TORTURE IN SEVEN DAYS, TEN DAYS, AND ELEVEN DAYS, RESPECTIVELY. YET ANOTHER, WHO SIGNED TWO CONFESSIONS, SAID THAT TORTURE INDUCED HIM TO SIGN ONE CONFESSION ON THE FIRST DAY OF ARREST, AND ANOTHER CONFESSION ON THE SECOND DAY.

11. CONCLUSION. THE EVIDENCE SUGGESTS THAT THE USE OF BRUTALITY IN THE INTERROGATION OF ARAB PRISONERS ARRESTED IN SECURITY CASES MAY BE WIDESPREAD, AND POSSIBLY EVEN COMMON, PRACTICE. IT IS DIFFICULT TO SEE HOW THIS COULD BE SO UNLESS THE PRACTICE WERE "OFFICIALLY IGNORED" AND PERHAPS TACITLY CONDONED. IN VIEW OF THE CRUCIAL IMPORTANCE OF THE ACCUSED'S CONFESSION IN SECURING CONVICTIONS IN THIS TYPE OF CASE, ONE

MAY WELL QUESTION THE SIGNIFICANCE OF THE MILITARY COURTS SEEMING TO FOLLOW SOME OF THE OUTWARD FORMS OF DUE PROCESS. IT MAY WELL BE CONCLUDED THAT THIS IS LESS A PURSUIT OF JUSTICE THAN AN EXERCISE WITH CERTAIN POLITICAL AIMS IN VIEW. IN ANY EVENT, THE ABOVE FIRST-HAND REPORT OF ONE OF THE POST'S CONSULAR OFFICERS PROVIDES BACKGROUND MATERIAL FOR THE DEPARTMENT IN ADVANCE OF THEIR PREPARATION OF NEXT YEAR'S REPORT TO CONGRESS.

12. IT SHOULD BE BORNE IN MIND, OF COURSE, THAT NEITHER THE INTERVIEWING OFFICER NOR THE POST HAD ANY MEANS OF OBTAINING CORROBORATING OR INDEPENDENT JUDGMENT AS TO THE VERACITY OF EACH OF THE STATEMENTS MADE BY THE 15 INDIVIDUALS. NEVERTHELESS, THERE IS, AS POINTED OUT, A MARKED CONSISTENCY IN THE VARIOUS ALLEGATIONS REGARDING PHYSICAL ABUSE, EFFORT TO OBTAIN CONFESSIONS, AND COURT PRACTICES. IT WOULD BE DIFFICULT TO IMAGINE THAT THE 15 APPLICANTS HAD ANY MEANS OF REHEARSING AND COORDINATING THEIR INDIVIDUAL STORIES IN ADVANCE OF THEIR CONSULAR OFFICER INTERVIEWS.

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